

# PATENT COOPERATION TREATY

# PCT

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference PHNL040145WO	<b>FOR FURTHER ACTION</b>	See item 4 below
International application No. PCT/IB2005/050308	International filing date ( <i>day/month/year</i> ) 26 January 2005 (26.01.2005)	Priority date ( <i>day/month/year</i> ) 04 February 2004 (04.02.2004)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant KONINKLIJKE PHILIPS ELECTRONICS N.V.		

1.	This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 <i>bis</i> .1(a).																								
2.	This REPORT consists of a total of 8 sheets, including this cover sheet.  In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.																								
3.	<p>This report contains indications relating to the following items:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 10%; text-align: center;"><input checked="" type="checkbox"/></td> <td style="width: 30%;">Box No. I</td> <td style="width: 60%;">Basis of the report</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table> <p>4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).</p>	<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland  Facsimile No. +41 22 338 82 70	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Date of issuance of this report 07 August 2006 (07.08.2006)</td> </tr> <tr> <td style="padding: 2px;">           Authorized officer   <div style="text-align: center; font-weight: bold; font-size: 1.2em;">Cecile Chatel</div>           e-mail: pt13@wipo.int         </td> </tr> </table>	Date of issuance of this report 07 August 2006 (07.08.2006)	Authorized officer  <div style="text-align: center; font-weight: bold; font-size: 1.2em;">Cecile Chatel</div> e-mail: pt13@wipo.int
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# PATENT COOPERATION TREATY

REC'D 29 APR 2005

WIPO

From the  
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

## PCT

### WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing

(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference  
see form PCT/ISA/220

**FOR FURTHER ACTION**  
See paragraph 2 below

International application No.  
PCT/IB2005/050308

International filing date (day/month/year)  
26.01.2005

Priority date (day/month/year)  
04.02.2004

International Patent Classification (IPC) or both national classification and IPC  
G11B20/00, H04N7/173

Applicant  
KONINKLIJKE PHILIPS ELECTRONICS N.V.

**1. This opinion contains indications relating to the following items:**

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

**2. FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

**3. For further details, see notes to Form PCT/ISA/220.**

Name and mailing address of the ISA:



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**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/IB2005/050308

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**Box No. I Basis of the opinion**

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1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
  - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material:
    - ☐ a sequence listing
    - ☐ table(s) related to the sequence listing
  - b. format of material:
    - ☐ in written format
    - ☐ in computer readable form
  - c. time of filing/furnishing:
    - ☐ contained in the international application as filed.
    - ☐ filed together with the international application in computer readable form.
    - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/IB2005/050308

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**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

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**1. Statement**

Novelty (N)	Yes: Claims	1-11
	No: Claims	
Inventive step (IS)	Yes: Claims	3,4,6-8,10
	No: Claims	1,2,5,9,11
Industrial applicability (IA)	Yes: Claims	1-11
	No: Claims	

**2. Citations and explanations**

**see separate sheet**

**Re Item V.**

**1 Reference is made to the following documents:**

- D1 : US 2002/032658 A1 (OKI HIROSHI ET AL) 14 March 2002 (2002-03-14)
- D2 : US 2002/078027 A1 (STARING ANTONIUS ADRIAAN MARIA ET AL) 20 June 2002 (2002-06-20)
- D3 : US 2002/114461 A1 (SHIMADA MUNEKI ET AL) 22 August 2002 (2002-08-22)
- D4 : EP 1 237 324 A (SANYO ELECTRIC CO., LTD; FUJITSU LIMITED; HITACHI, LTD) 4 September 2002 (2002-09-04)
- D5 : WO 03/029988 A (SONY CORPORATION; NOMURA, RYOSUKE) 10 April 2003 (2003-04-10)

**2 INDEPENDENT CLAIM 1**

2.1 The present application does not meet the criteria of Article 33(1) PCT, because the subject matter of claim 1 does not involve an inventive step in the sense of Article 33(3)PCT.

2.1.1 Document D1, which is considered to represent the most relevant state of the art to the subject matter of claim 1, discloses a device for authoring a user to get access to content stored in encryption form on a storage medium (par.[0053]), said storage medium storing a machine-readable medium identifier (par.[0053]) and storing at least one asset key for decrypting encrypted content (par.[0061]), said device comprising:  
a connection means for connecting said device to a network (fig.3A, ref.16),  
a drive for accessing said storage medium, in particular for reading content and said medium identifier from said storage medium (par.[0070]), and  
a transmitter for transmitting said medium identifier and a user identifier of a user (implicit par.[0070]-[0071]), who shall be authorized to get access to said content and who is identified to said network, said medium identifier and said user identifier being used by said authentication unit for generating a key for said user enabling said user to decrypt at least one content (par.[0071]-[0072]).

2.1.2 The subject-matter of independent claim 1 differs from the disclosure of D1 in

that the authentication unit sends directly the "asset key" contained in a key table to the user device instead of generating a key table key for decrypting a key table to extract the asset key. This means that, in claim 1, the key for decrypting the content is stored in the storage medium in an encrypted form, and the key for decrypting the content key is sent by the authentication unit; on the other hand, in D1, the key for decrypting the content is directly transmitted from the authentication unit to the user device to decrypt the content.

- 2.1.3 The problem to be solved by the present invention may therefore be regarded as how to avoid the transmission of the content key through a network.
- 2.1.4 In view of D2 the solution proposed in claim 1 of the present application cannot be considered as involving an inventive step (Article 33(3) PCT) for the following reasons: D2 discloses (fig.3A; par.[0053]) a key locker containing decryption keys (asset keys), which is encrypted by a key locker key. Moreover, D2 discloses the transmissions of keys to an authenticated user in response to identification information (fig.8A&B).
- 2.1.5 Therefore the features disclosed in D1 and D2 would be combined by the skilled person, without exercise of any inventive skills in order to solve the problem posed. The proposed solution in independent claim 1 thus cannot be considered inventive (Article 33(3) PCT).
- 2.2 For the sake of completeness it will be added that the present application does not either meet the criteria of Article 33(1) PCT, because the subject matter of claim 1 does not involve an inventive step in the sense of Article 33(3)PCT over the combination of the disclosures of D3 and D2.

In D3, a client terminal device transmits the user ID and a MID uniquely attached to the optical disc to the system server device (par.[0133]). Then the system server proceeds to the authentication of the user (par.[0137]-[0141]), encrypts the content key and transmits it to the client terminal (par.[0147]).

The features disclosed in D3 and D2 would be combined by the skilled person, without exercise of any inventive skills in order to solve the problem posed. The

proposed solution in independent claim 1 thus cannot be considered inventive (Article 33(3) PCT).

**3 INDEPENDENT CLAIMS 9 AND 11**

- 3.1 The present application does not meet the criteria of Article 33(1) PCT, because the subject matter of claims 9 and 11 does not involve an inventive step in the sense of Article 33(3)PCT.

The subject matter independent **claim 9** corresponds in terms of procedural steps to that of claim 1. The objections raised in respect of this latter claim; therefore, also apply, mutatis mutandis, to independent claim 9, which is thus not inventive in the sense of Article 33(3) PCT. Obviously, the subject-matter of **claim 11** does not either involve an inventive step since it merely specifies a computer program to carry out the mentioned method steps.

**4 DEPENDENT CLAIMS 2, 5**

Dependent claims 2, 5 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of inventive step (Article 33(2) and (3) PCT).

**5 DEPENDENT CLAIMS 3, 4, 6-8**

The combination of the features of dependent claims 3, 4, 6-8 are neither known from, nor rendered obvious by, the available prior art. There are no indications in the related prior art on how the different steps could be verified by using check means. Moreover, even though similar systems cited in the search report (e.g. D4) relate to mobile communication networks (GSM), there are no indications as how to combine the teachings of these documents with that of D1 and D2.

**6 INDEPENDENT CLAIM 10**

Even though prior art documents (e.g. D2 and D5), disclose a user authorising another (different) user to access an encrypted content, the approaches taken deviate from the subject-matter of claim 10 significantly; therefore, the system

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING  
AUTHORITY (SEPARATE SHEET)**

International application No.

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proposed in claim 10 of the present application is considered as involving an inventive step (Article 33(3) PCT).